

## **MEMORANDUM**

**To:** Executive Directors, HR Directors, HR Representatives, DHRM Staff  
**From:** Conroy Whipple, DHRM  
**Date:** July 1, 2002  
**Subject:** DHRM Rules 2002

Attached is your complimentary hard copy of the newest edition of DHRM Rules, effective July 2, 2002. There are several changes you will see.

Perhaps the first difference you will notice from previous editions is the renumbering of rules R477-2 through R477-7. This year, we decided to reduce the size of “dreaded Rule 8” by dividing it into two pieces: Leave and Working Conditions. In order to place the new leave rule in a logical spot in relation to other rules and to minimize the renumbering of rules, we eliminated R477-3 and placed its contents into R477-2 as new section R477-2-5. Rules R477-4 through R477-7 were then renumbered as R477-3 through R477-6 and the new rule on leave was inserted as R477-7.

One general change was made that affects all the rules concerning the use of two terms that distinguish agency executive directors from the DHRM executive director. By definition in code, “Executive Director” means the executive director of DHRM. However, the frequent reference to executive directors of agencies throughout the rules creates confusion, especially among employees who are not familiar with human resource management or the code. Beginning this year, whenever reference is made to the executive director of DHRM, the term “Executive Director, DHRM” is used. Whenever reference is made to the executive director of an agency, the term “agency head or commissioner” is used.

There are also a number of substantive changes organized below by rule.

### **R477-1. Definitions.**

- (1) Abandonment of Position. The phrase “discretionary act of termination” is replaced with “an act of resignation”.
- (33) Demotion. The last sentence is added to make it clear that administrative adjustments to the classification system, not to the classification of an employee, implemented or authorized by DHRM, are not demotions.

The definition of Executive Director is removed as explained above, the term is defined in the context of the rules and, thus, definition is no longer needed.

**R477-2. Administration.**

R477-2-5. Control of Personal Service Expenditures. This section is the exact language from previous R477-3.

R477-2-6(7). The category of employees for whom information cannot be provided is expanded from undercover law enforcement officers to all employees whose records are private or protected.

**R477-4. Filling Positions.**

R477-4-4(2)(b). Agencies may no longer make appointments by rehiring former career service employees without using an approved competitive process.

**R477-6 Compensation.**

R477-6-4(1)(a). The one-step limitation for a merit increase is removed.

R477-6-4(3)(c). This is the companion change for the clarification to definition R477-1(33). This sets the stage for implementation of the Title Reduction Project.

R477-6-3(11)(f). This is new language clarifying the status of employees at the end of their range.

**R477-7. Leave.**

The provisions in this new rule are lifted nearly word for word from R477-8. However, A few important changes were made.

R477-7-2(5). Changes in this section will hopefully clarify, once and for all, the accrual of holiday leave for new and terminating employees.

R477-7-6(5). Minor additions simply confirm that the purchase of health insurance is 8 hours of sick leave or converted sick leave.

R477-7-9. Employees may now be granted funeral leave for step-grandparents and a spouse's step-grandparents.

R477-7-10(2) Employees on active military duty may now use accrued leave while on duty.

R477-7-12. By law, employees shall be granted time off with full pay for bone marrow or organ donation.

R477-7-17(3)(b). Language is removed that requires an agency to place an employee who returns from leave without pay when no position is available.

**R477-8. Working Conditions.**

R477-8-6(5). This section was amended to give agencies greater flexibility for determining overtime compensation for law enforcement, corrections, and fire protection employees.

**R477-10. Employee Development.**

R477-10-5. The maximum allowed for education assistance is increased from \$3,500 to \$5,250. The accounting period is changed from fiscal year to calendar year.

**R477-12. Separations.**

R477-12-3(9) Amendments to this section change how a former employee on the "E-Rif" Register must declare his desire to stay on the reappointment list. Instead of requiring the person to submit a written request, DHRM must ask the employee to declare his desire.

**R477-14. Substance Abuse and Drug-Free Workplace.**

R477-14-1. The sections from the Code of Federal Regulations incorporated into this section are updated to 2001.

Additional hard copies of the new rules are available through the state copy centers. They are also available on the DHRM web page at <http://www.dhrm.utah.gov/> under the policies link.